

5. Defendants hereby withdraw the Motion to Dismiss [Docket No. 23], and state their intention to file a responsive pleading or motion in response to the Amended Complaint within the time frames provided in the Federal Rules of Civil Procedure. [Docket No. 26].

6. Accordingly, Plaintiff will not file a brief in opposition to Defendants' Motion to Dismiss [Docket No. 23], and will await Defendants' responsive pleading or motion as to the Amended Complaint. [Docket No. 26].

7. Counsels have conferred, and counsel for Defendants authorizes counsel for the Plaintiff to file this stipulation using the electronic signature of counsel for the Defendants.

WHEREFORE, the Parties jointly stipulate that the Defendants' Motion to Dismiss [Docket No. 23] is hereby withdrawn as moot, and Plaintiff will not file a brief in opposition thereto.

Dated this 8th day of September, 2011.

Respectfully submitted,

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and on behalf of BOB BENNIE WEALTH
MANAGEMENT, INC., Plaintiffs

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